

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE BIOPURE SECURITIES LITIGATION

**CIVIL ACTION
NO. 03-12628-NG**

**DEFENDANTS' UNOPPOSED MOTION TO EXTEND TIME TO RESPOND TO
PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS THE
CONSOLIDATED AMENDED CLASS ACTION COMPLAINT**

Defendants Biopure Corporation, Thomas A. Moore, Carl W. Rausch, Howard P. Richman, Charles A. Sanders, J. Richard Crout and Ronald F. Richards (collectively, “Defendants”) hereby move for an Order extending the time to respond to Plaintiffs’ Opposition to Defendants’ Motion to Dismiss the Consolidated Amended Class Action Complaint (“Plaintiffs’ Opposition”) to and including January 24, 2005.

In support of their Motion, Defendants state as follows:

1. Defendants previously received an extension of time to Respond to Plaintiffs' Opposition to and including January 18, 2005.
2. Due to circumstances unforeseen at the time Defendants received the extension, counsel for Defendants was subsequently required to be out of the state for four days. As a result, counsel for Defendants requires additional time to prepare Defendants' response to Plaintiffs' Opposition.
3. Counsel for Plaintiffs does not object to the extension of the deadline provided by the Fed. R. Civ. P. for response to Plaintiffs' Opposition to and including January 24, 2005.

WHEREFORE, Defendants respectfully request that the Court enter an Order extending the time for Defendants to respond to Plaintiffs' Opposition to and including January 24, 2005.

**BIOPURE CORPORATION, THOMAS A.
MOORE, CARL W. RAUSCH, HOWARD P.
RICHMAN, CHARLES A. SANDERS and J.
RICHARD CROUT,**

By their attorneys,

/s/ Raquel J. Webster

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Dated: January 14, 2005

RULE 7.1(A)(2) CERTIFICATION

I hereby certify that counsel for Defendants conferred with counsel for Plaintiffs in good faith to resolve or narrow the issues presented in this Motion. Counsel for Plaintiffs does not oppose the relief sought by this Motion.

/s/ Raquel J. Webster

Raquel J. Webster

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was electronically served upon the attorney of record for each party on January 14, 2005.

s/ Raquel J. Webster

Raquel J. Webster

